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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,814	04/26/2005	Kyoung-Tae Kim	GK-US055086	8900
22919	7590	06/27/2006	EXAMINER	
GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			HAUPT, KRISTY A	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/532,814

Applicant(s)

KIM ET AL.

Examiner

Kristy A. Haupt

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 25 is/are pending in the application.
- 4a) Of the above claim(s) 2-7, 11-12 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This office action is in response to the response for restriction requirement received 9 June 2006. Claims 13-24 have been cancelled and Claims 2-7, 11, 12 and 25 withdrawn per Applicant's request. Group 1, consisting of Claims 1 and 8-10 have been elected and thereby examined.

Specification

1. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kannon et al. US 6,081,627.

Kannon teaches:

With respect to claim 1, a two-dimensional code comprising:

- A finding pattern area includes finding patterns for discriminating a code area from whole image (Figure 8, #21)

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- A timing pattern area includes timing patterns for checking a position of data region and each cells in the data region from whole code image (Figure 8, #22)
- A data area recorded various kind of predetermined data and decoding information of data itself (Figure 8, #23)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kannon et al. US 6,081,627 in view of Gabrielson US 6,102,289.

Kannon fails to teach:

With respect to claim 8:

- Wherein said coded data recorded in said data area are at least one among a figure, mark, Korean alphabet, English alphabet or special character, etc.

With respect to claim 9:

- Wherein said data is directly interpreted by decoding process

However, Gabrielson teaches:

With respect to claim 8 and incorporating all arguments of claim 1:

- Wherein said coded data recorded in said data area are at least one among a figure, mark, Korean alphabet, English alphabet or special character, etc. (Column 6, Lines 48-64)

With respect to claim 9 and incorporating all arguments of claim 1:

- Wherein said data is directly interpreted by decoding process (Column 5, Lines 53-62)

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of Kannon to record alpha-numeric characters, as taught by Gabrielson, as it can be used in a 2-dimendional bar code as data supplemental or redundant to data recorded in a 1-dimensional bar code (Abstract).

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kannon et al. US 6,081,627 in view of Liu US 5,742,041.

Kannon fails to teach:

With respect to claim 10:

- Further comprising a quiet zone for identification of an existence of said code, wherein a size of said quiet zone is at least 2X which is a standard unit size of cell in said code

However, Liu teaches:

With respect to claim 10 and incorporating all arguments of claim 1:

- Further comprising a quiet zone for identification of an existence of said code, wherein a size of said quiet zone is at least 2X which is a standard unit size of cell in said code (Column 1, Lines 29-36)

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of Kannon to include a quiet zone to identify the code, with the quiet zone at least 2X a standard unit size of call, as taught by Liu, to distinguish the bar code from other visual noise (Column 1, Lines 29-36).

Examiner's Note

Examiner has cited particular column and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the Applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the Prior Art or disclosed by the Examiner.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristy A. Haupt whose telephone number is (571) 272-8545. The examiner can normally be reached on M-F 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

6/18/06

KAH

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Jared J. Fureman
JARED J. FUREMAN
PRIMARY EXAMINER